IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 33653 of 2007(F)

PETITIONER:

P.R.RADHAKRISHNA PANICKER,
S/O.PADMANABHAN NAIR, AGED 53 YEARS,
REVENUE DIVISIONAL OFFICER, KOTTAYAM (RESIDING AT THARAMUTTATHU HOUSE, VAZHAPPALLY P.O., CHANGANACHERRY).

BY ADV. SRI.G.SUKUMARA MENON
SMT.DEEPTHI S.MENON

RESPONDENTS:

1. PRINCIPAL SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. COMMISSIONER, LAND REVENUE DEPARTMENT,
THIRUVANANTHAPURAM.

3. DISTRICT COLLECTOR, KOTTAYAM.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.33653 of 2007 F

Dated this the 14th day of November, 2007.

JUDGMENT

Petitioner, a Revenue Divisional Officer, has been transferred from Kottayam to Thrissur as per Ext.P3. He contends that the transfer is in violation of the norms; as he has less than 2 years of service for retirement. In my view, if the petitioner is aggrieved by the transfer ordered under Ext.P3, it is always open to him to move the Government seeking a variation in the posting.

2. Petitioner has another grievance that the salary for the past 11 months has not been disbursed to him. This apparently is in consequence of non-sanctioning of the leave which the petitioner had applied for. This grievance is conveyed in Ext.P2.

3. I heard learned counsel for the petitioner and learned Government Pleader also. In the circumstances, the writ petition is disposed of in the following manner:

Insofar as the petitioner's grievance regarding the transfer ordered under Ext.P3 is concerned, it is open to him to move the Government seeking a variation of the posting. If a representation is filed in that behalf within four weeks from today, the 1st respondent shall take a decision within four weeks thereafter, after hearing the petitioner, if necessary, in the light of Exts.P1 and P2 and needful shall be done by the 2nd respondent in the matter of sanctioning of the leave applied for by the petitioner and/or payment of salary due to the petitioner. Appropriate orders, in this regard, shall be passed within four weeks from the date of receipt of a copy of this judgment .

Sd/-

(V.GIRI)

JUDGE

sk/

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P.S. To Judge